

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

MICHAEL and GABRIELA YONG, as :
Parents, Guardians, and Next :
Friends of TIFFANY YONG, :
: Plaintiffs, :
v. : : Civil Action No. 02-147-JJF
: :
THE NEMOURS FOUNDATION, :
: Defendant. :
:

O R D E R

At Wilmington, this 21 day of June, 2006, for the reasons set forth in the Memorandum Opinion issued this date,

IT IS HEREBY ORDERED that:

1. Plaintiffs' Motion To Amend Scheduling Order To Set Retrial Date And Allow Limited Discovery (D.I. 136) is GRANTED to the following extent:

a. Plaintiffs may depose Dr. William I. Norwood with regard to the terms of the settlement reached between Dr. Norwood and Defendant in Norwood, et al. v. Nemours Foundation, Del. Super. Ct., C.A. No. 04C-05-228 (RRG);

b. Plaintiffs may take additional discovery with regard to any operation conducted by Defendant's expert witness, Dr. Erle H. Austin, subsequent to his original deposition testimony in this case and involving the use of circulatory arrest in the performance of a Fontan procedure; and

c. Plaintiffs may designate a pediatric cardiac surgeon as an expert witness on the issue of medical negligence;

2. Plaintiffs' Motion To Amend Scheduling Order To Set Retrial Date And Allow Limited Discovery (D.I. 136) is DENIED with regard to Plaintiffs' requests to depose W. Jeffrey Wadsworth and to designate a life-care planner for Tiffany Yong.



UNITED STATES DISTRICT JUDGE